

Committee-of-the-Whole Minutes

Tuesday, July 10, 2012

PRESENT: Mayor Don Welvaert (*Chair*)
Alderman John Knaack (*Ward 1*)
Alderman Rick Meredith (*Ward 2*)
Alderman Scott Raes (*Ward 3*)
Alderman Ted Ronk (*Ward 4*)
Alderman Stephanie Acri (*Alderman At-Large*)

ABSENT: Alderman Lori Turner (*Ward 5*)
Alderman Kevin Schoonmaker (*Ward 6*)
Alderman Sean Liddell (*Ward 7*)

STAFF: Lew Steinbrecher, City Administrator
Maureen Riggs, City Attorney
Tracy Koranda, City Clerk
Ray Forsythe, Planning & Development Director
Alison Fleming, Human Resources Manager
Laura Duran, Parks Recreation Director
Nate Scott, IT Manager
Todd Allen, Battalion Chief
Kim Hankins, Interim Public Safety Director
Scott Hinton, City Engineer
Kathy Carr, Finance Director
Jeff Anderson, City Planner
Mike Waldron, Public Works Director
Pam Owens, Moline Centre Main Street Coordinator
Chris Mathias, Property Management Coordinator
Pat Burke, Economic Development Manager
Doug House, Municipal Services General Manager
Erica Williams, Environmental Manager
Rodd Schick, Parks Operation Manager
Lori Wilson, Recreation Programmer
Members of the Moline Fire Department

OTHERS: Members of the Press

Mayor Welvaert called the meeting to order at 6:30 p.m. in Council Chambers.

Recognition

Kim Hankins, Interim Public Safety Director, and Todd Allen, Battalion Chief, gave recognition of Captain Jeff Snyder, Lieutenant Tom Kennedy, Engineer Brett Clark, FF/P Geoffrey McClellan, and FF/P Nathan Girard, for the Cave Rescue call on May 18, 2012 at Maquoketa Caves State Park. The audience responded with a standing ovation.

Mayor's Board Appointments

Mayor's reappointment of Frank Ege to the Moline Centre Main Street Commission for a full, three-year term to expire June 30, 2015. Mayor's appointment of Gary Freeman to the Moline Centre Main Street Commission for a full, three-year term to expire June 30, 2015, to fill the expired term of Curtiss Roseman. Mayor's appointment of Beth Lagomarcino to the Moline Centre Main Street Commission for a full, three-year term to expire June 30, 2015, to fill the expired term of David Wise Jr.. A motion was made by Alderman Knaack to approve. Seconded by Alderman Raes. Motion passed unanimously.

Mayor's reappointment of Beth Lagomarcino to the Special Service Area #6 Board for full, three-year term to expire September 30, 2014. Mayor's reappointment of Darrell S. Turner to the Special Service Area #6 Board for full, three-year term to expire September 30, 2013. Mayor's appointment of Patrick Burke to the Special Service Area #6 Board to replace the expired term of Pam Fisher for a full three-year term to expire September 30, 2015. Mayor's appointment of Chris Lambrecht to the Special Service Area #6 Board to replace the unexpired term of David Wise Jr. to expire September 30, 2014. Mayor's appointment of Janet Mathis to the Special Service Area #6 Board to replace the unexpired term of David Barker to expire September 30, 2014. A motion was made by Alderman Ronk to approve. Seconded by Alderman Knaack. Motion passed unanimously.

Agenda Items

1. **Request from QC Arts for a Licensing Agreement to install artwork on City-owned property at 1520 River Drive.** Pam Owens, Main Street Program Coordinator, indicated that the City has been contacted by Quad City Arts regarding the possible installation of a sculpture on the Historic Block Courtyard at 1520 River Drive. When artwork has been placed in Downtown in the past, it has gone through a committee selection process to determine appropriate design and proper placement. Upon approval, the City would enter into an agreement with the artist directly; Bruning Sculpture, Inc. A motion was made by Alderman Knaack to approve. Seconded by Alderman Meredith. Motion passed with Aldermen Ronk and Acri voting nay.
2. **Request from Windstream, KDL, Inc. to amend a Licensing Agreement to install fiber-optic cable in Right-Of-Way.** Chris Mathias, Property Management Coordinator, explained that a few weeks ago, the Council approved a resolution to enter into a licensing agreement with Windstream, KDL, Inc. to install fiber-optic facilities in right-of-way at four different locations. One of those locations was proposed to run from 34th Street, along the north side of 12th Avenue right of way, to 41st Street and then north in 41st Street right of way to the Moline Housing Authority facility located at 1150 41st Street. The applicant has discovered existing utilities on the north side of 12th Avenue that are an obstruction to running the line in that location. The new proposal has the bore running on the south side of 12th Avenue. A motion was made by Alderman Raes to approve. Seconded by Alderman Knaack. Motion passed unanimously.
3. **City Hall HVAC Repairs/Replacement.** Doug House, Municipal Services General Manager, indicated that as a result of the 2012-2013 Council goal setting, evaluation of the City Hall HVAC was identified as a priority. Staff was directed to evaluate the current condition of the system and make recommendations to repair and or replace it. The City Hall HVAC Committee met and toured the facility with HVAC experts and identified four main areas of concern and developed a budget to address them. The areas of concern in order of the Committee's priorities are:

1. Replace 39 Thermostats	\$40,000 *
2. Replace the Boiler & Chiller Controls	\$25,000
3. Update the Council Chambers Fan Coils	\$20,000
4. Replace the 1988 Chiller	<u>\$120,000</u>
Estimate for above work to be completed:	\$205,000

* TMI submitted a proposal for \$50,350 to replace the 39 thermostats. However, staff believes the work

can be done in-house for approximately \$40,000. A motion was made by Alderman Meredith to approve. Seconded by Alderman Knaack. Motion passed unanimously.

4. **Consideration of a Grant Application to the Illinois Environmental Protection Agency for the Removal of Contamination at 2500 & 2600 River Drive.** Patrick Burke, Economic Development Manager, explained that during final site grading at RiverTech, foreign objects were uncovered. Sampling analysis concluded that the foreign objects were damaged drums of dried lead paint. The contaminated area has been defined. It is estimated that digging and hauling the contaminated soil to the landfill and hauling clean fill will take two days. The total project cost is estimated to be \$13,748.20. The grant would reimburse the City 70% (\$9,575.00). A motion was made by Alderman Raes to approve. Seconded by Alderman Meredith. Motion passed unanimously.
5. **Acceptance of IHDA Agreement for Single Family Owner-Occupied Rehabilitation (SFOOR) funding in the amount of \$210,000.00 for program year 2012-2014.** Jeff Anderson, City Planner, explained that the SFOOR program is part of the HOME Program, which is a federal housing “block grant” program for which Moline does not qualify as a direct formula grantee (“participating jurisdiction”). The Planning and Development Department prepared the grant and submitted it to IHDA for funding in which the City of Moline was awarded \$210,000.00. Loans for rehabilitation shall not be less than \$4,000.00 and not more than \$40,000.00 per applicant. A motion was made by Alderman Knaack to approve. Seconded by Alderman Ronk. Motion passed unanimously.
6. **Inter Agency Agreement between the City of Moline and the Illinois State Police for providing fee based criminal history record information from fingerprint submissions for non-criminal justice applicants.** Kim Hankins, Interim Public Safety Director, stated that criminal justice record information is needed from time to time by the City of Moline on non-criminal justice applicants for various city positions. This information can only be obtained through the fee based fingerprint submission service provided by the Illinois State Police. Execution of an inter agency agreement by the Mayor is required in order to utilize this service. A motion was made by Alderman Raes to approve. Seconded by Alderman Ronk. Motion passed unanimously.
7. **Inter Agency Agreement between the City of Moline Liquor Control Commissioner and the Illinois State Police for providing fee based criminal history record information from fingerprint submissions for liquor license applicants.** Kim Hankins, Interim Public Safety Director, explained that Criminal justice record information is needed by the City of Moline on all liquor license applicants. This information can only be obtained through the fee based fingerprint submission service provided by the Illinois State Police for non-criminal justice applicants. Execution of an inter agency agreement by the Liquor Commissioner (Mayor) is required in order to utilize this service. A motion was made by Alderman Knaack to approve. Seconded by Alderman Raes. Motion passed unanimously.
8. **Inter Agency Agreement between the City of Moline Fire Department and the Illinois State Police for providing fee based criminal history record information from fingerprint submissions for fire department applicants.** Kim Hankins, Interim Public Safety Director, indicated that Criminal justice record information is needed by the City of Moline on all fire department applicants. This information can only be obtained through the fee based fingerprint submission service provided by the Illinois State Police for non-criminal justice applicants. Execution of an inter agency agreement by the Interim Public Safety Director is required in order to utilize this service. A motion was made by Alderman Ronk to approve. Seconded by Alderman Meredith. Motion passed unanimously.
9. **Purchase of Narrowband Compliant Equipment for Emergency Warning Siren Control and ISPERN/IREACH access.** Kim Hankins, Interim Public Safety Director, stated that the Federal Communications Commission (FCC) has mandated that all public safety and industrial/business licensees migrate their VHF/UHF radio systems from wideband to narrowband channel bandwidth by January 1,

2013. This process has been completed for all existing licenses and equipment that is narrowband capable. However, the VHF receivers and transmitter currently used by the City of Moline for control of the emergency warning sirens and ISPERN/IREACH access are over 20 years old, not capable of narrowband, and must be replaced in order to achieve compliance. RACOM Corporation, the sole service and equipment provider for the radio system utilized by the City of Moline, has provided a quote to replace the receivers and related equipment in the amount of \$12,025.65. The expense is not budgeted and staff is requesting that contingency funds be used to make the purchase. A motion was made by Alderman Raes to approve. Seconded by Alderman Knaack. Mayor Welvaert indicated that the Public Safety Communications Budget Board will be meeting on Wednesday, July 11, 2012, and believes that this purchase may be something that could be paid for with those funds and entertained a motion to postpone this for two weeks. Alderman Knaack made a motion to postpone this item for two weeks. Seconded by Alderman Ronk. Motion to postpone passed unanimously.

- 10. Acceptance of the Proposal Submitted by Etico Solutions, Inc., Macomb, Illinois, in the amount of \$14,903.72 to conduct a patrol staffing study for the police department.** Kim Hankins, Interim Public Safety Director, explained that a Request for Proposals (RFP) was issued on May 2, 2012 for qualified firms provide a comprehensive police patrol operations staffing study; specifically, to review and analyze the existing law enforcement workload, deployment and allocation of personnel and staffing in the Operations Division. Proposals were accepted through June 1, 2012. Five responses were received and subsequently reviewed by the Chief of Police, two captains and three Operations lieutenants, taking into consideration the price and evaluation factors set forth in the RFP. Etico Solutions is recommended as the most advantageous to the City of Moline and in the City's best interest. The cost for the study will be paid from police asset forfeiture funds. A motion was made by Alderman Raes to approve. Seconded by Alderman Meredith. Motion passed unanimously.
- 11. Parks Seasonal Mowing and Cleaning Request for Proposal.** Mike Waldron, Public Works Director, stated that Council identified the evaluation of seasonal maintenance of the City Parks as a priority and directed staff to prepare new bid documents and seek bids for mowing, trash collection and restroom cleaning. Staff utilized the prior bid documents from 2010 for these services, and additionally benchmarked other municipalities and park districts on content and requirements. The City currently maintains 28 park areas, 2 cemeteries, and 38 City owned properties that include every City Building, parking lot medians, vacant lots, Moline Centre areas. Seasonal staff cleans and maintains 19 park restrooms and 13 reservation shelter facilities. The bid documents attempt to cover the many aspects of this work so as to leave little to no misunderstanding as to the quality and frequency of maintenance. A motion was made by Alderman Knaack to approve. Seconded by Alderman Ronk. Motion passed unanimously.
- 12. A Resolution authorizing the Mayor and City Clerk to execute a First Amendment to Promissory Note, First Amendment to Loan and Property Development Agreement, and First Amendment to Collateral and Security Agreement between Financial District Properties HQO, L.L.C., an Illinois limited liability company, and the City.** Maureen Riggs, City Attorney, indicated that in 2007, the City approved a loan to Financial District Properties HQO, L.L.C. (HQO) in the amount of \$7.5 million, and was granted first position mortgage to allow HQO to purchase the old KONE property. The term of the loan was 36 months with a maturity date of December 31, 2010. As the Promissory Note approached maturity, HQO indicated it would be unable to pay off the loan due to economic conditions. Council Bill 1246-2010 authorized the Mayor and City Clerk to enter into a Collateral and Security Agreement with HQO. The Collateral and Security Agreement provided for additional security for the City's Seven Million, Five Hundred Thousand Dollar (\$7,500,000.00) loan, and the City also agreed and contracted with HQO to refinance the remaining principal balance owed on the Loan for three years at an interest rate of 3.25% per annum, monthly interest payments only. At the time the Collateral and Security Agreement was entered, there were no written amendments made to the Loan Agreement or Promissory Note

regarding the change in the interest rate or the extension of the term of the note. The parties have continued, since December 31, 2010, to operate under the original Loan Agreement and Promissory Note but according to the terms set forth in the Collateral and Security Agreement. The attached documents amend the Loan Agreement and Promissory Note pursuant to the terms in the Collateral and Security Agreement. A motion was made by Alderman Knaack to approve. Seconded by Alderman Meredith. Motion passed unanimously.

13. Request from Northwest Bank & Trust Company to pay off a non-recourse loan on Hawk Hallow at a discounted amount to release mortgage. Lew Steinbrecher, City Administrator, stated that in August 2009, the Moline City Council adopted a special ordinance entering into a Redevelopment Agreement with Northwest Bank & Trust Company and Moline Place Development Company, L.L.C. (Michael Shamsie), to facilitate the demolition of the nurses' dormitory on the property and to transfer ownership of the Hawk Hallow Redevelopment site (formerly known as Phases II and III of One Moline Place) to the City of Moline. In October 2010, the City Council approved an amended Redevelopment Agreement that enabled the complete build-out of Phase I of the project and the demolition of the dormitory. That building was demolished in early 2011, and the property transferred to the City with a \$440,000 mortgage in the form of a non-recourse loan with the City to be paid once the City sold the property to a new developer. In February 2012, the City Council approved a Term Sheet with IDP Illinois Acquisition Company, L.L.C. (Irgens Development Partners) to redevelop this property for market rate senior housing following completion of its due diligence. The developer is nearing completion of that process and has expressed its anticipation to enter into a Purchase Agreement for \$440,000 in the foreseeable future and move forward with its project. Northwest Bank & Trust has expressed its interest in releasing the \$440,000 mortgage on the property and has offered to do so before July 31, 2012 at a discounted pay-off amount of \$396,000 by the City of Moline. See attached letter from Northwest Bank & Trust. A motion was made by Alderman Ronk to approve. Seconded by Alderman Knaack. Motion passed unanimously.

14. Approval of Contract with Walter D Laud, Inc. for Project #1161, 2012 Water Main Improvements. Scott Hinton, City Engineer, indicated that bids were opened and publicly read on June 26, 2012 for Project #1161 with the following results:

\$346,885.50	Walter D Laud
\$370,062.00	Miller Trucking and Excavating
\$408,883.50	Valley Construction
\$425,928.05	Brandt Construction
\$463,248.00	Langman Construction
\$513,534.00	Laverdiere Construction

Project #1161 includes the replacement of "red" water mains at four locations: 15th Avenue west of 32nd Street, 29th Avenue west of 4th Street, 31st Street Court south of 24th Avenue, and 36th Ave/44th St/34th Ave Place east of 41st Street. A motion was made by Alderman Raes to approve. Seconded by Alderman Meredith. Motion passed unanimously.

15. Approval of Contract with AJ Excavating for Project #1165, Parking Lot and Demolition at 17th Street and River Drive. Scott Hinton, City Engineer, explained that bids were opened and publicly read on July 3, 2012 for Project #1165 with the following results:

\$182,007.10	A.J. Excavating
\$185,216.95	Miller Trucking and Excavating
\$186,673.60	Valley Construction
\$218,177.57	Brandt Construction
\$223,456.80	Walter D Laud

\$226,784.80	Langman Construction
\$274,503.95	McCarthy Improvement
\$307,448.90	Lester Construction

Project #1165 includes the demolition of the Indecco Building at 1710 River Drive and the construction of a pervious asphalt parking lot at 1708 and 1710 River Drive. A motion was made by Alderman Raes to approve. Seconded by Alderman Knaack. Motion passed unanimously.

16. Approval of Change Order #1 with Miller Trucking and Excavating for Project #1157, 16th Street Water Main Improvements. Scott Hinton, City Engineer, indicated that in order to make final payment to the contractor and close out the contract, a change order is needed in the amount of \$4,180.29. The change order reflects the difference between the estimated bid quantities and final quantities actual constructed. The change order increases the original contract value of \$111,307.75 by 3.8% to \$115,488.04. The majority of the change order cost is related to the repair of a leaking sanitary sewer lateral. A motion was made by Alderman Raes to approve. Seconded by Alderman Ronk. Motion passed unanimously.

17. Approval of a Stormwater Utility Rate Increase. Scott Hinton, City Engineer, explained that since 2010, the City Council has enacted a Utility Tax and adjusted the Water and Water Pollution Control Utility rates in an effort to adequately fund replacement and repairs to the City's aging street and utility infrastructure. The Stormwater Utility rates have not been similarly adjusted and are now insufficient to fund the Stormwater portion of the annual Capital Improvement Program. Staff proposes to increase the Stormwater Utility rates by 15% on January 1st of 2013, 2014, and 2015 to provide additional funding for stormwater infrastructure replacement and repair. The proposed rate increase will allow the Stormwater Utility to fully fund the stormwater portion of the annual Capital Improvement Program while continuing to work on stormwater master plan projects. When fully implemented in 2015, the average household will see a cumulative increase of \$3.04 to their quarterly Stormwater fee, or approximately \$12 per year. The Stormwater Utility, similar to both the Water and Water Pollution Control Utilities, operates as an enterprise fund where the rates are set to provide sufficient revenues to cover the entire cost of providing the service. In order to operate as true Utility, the revenues collected must cover all expenditures without being subsidized by other sources. As such, it is not appropriate to fund the deficit in Stormwater revenues with General Fund monies, other City funds intended for capital projects (CIF, Utility Tax, Water, or WPC), or any other non-Stormwater source. The Stormwater Utility Rates were last increased on January 1, 2005. Item presented; no motion was made.

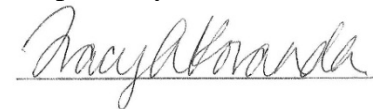
18. Approval of the 2013 – 2017 Capital Improvement Program. Scott Hinton, City Engineer, requested that this item be tabled in order for staff to eliminate projects with stormwater component of the CIP. Mayor Welvaert agreed to allow time for staff to assess the list and resubmit at a later date.

19. Other – Variance to allow development of property located at 3809 11th Avenue Place without improving 11th Avenue Place. Scott Hinton, City Engineer, stated that 11th Avenue Place serves five parcels that had been subdivided in the 1950's and had three homes constructed. At the time of the subdivision, for reasons unknown, the street was not improved. In about 2005, another property owner on this same street requested a variance that had been denied due to the condition of the street. The street is about 8'-10' wide with deep drainage ditches on each side. At that time, staff recommended and Council agreed that any future development would require the property owners to make improvements to the street to bring it up to City standards. The improvements to be made include large storm sewers, widening and filling the ditch and retaining walls on both sides the entire length of the street. This project would cost approximately two million dollars to complete. The property owners at 3809 11th Avenue Place are requesting a variance to develop the property without improving the street. Staff recommends denying

this request as it is believed that this road would not hold up to construction traffic or future traffic. Herman VanDyne, Littleton, CO, property owner of 3809 11th Avenue Place, indicated that delivery trucks currently travel on the street and they read a letter composed by a current resident of that street expressing disagreement with staff. The VanDyne's have a prospective buyer for the property; however, the interested party does not want to buy unless the property can be developed without improving the street. Alderman Acri made a motion to direct staff to investigate less expensive alternatives to completely reconstructing the street. Seconded by Alderman Meredith. Motion passed with Aldermen Ronk and Knaack voting nay.

The meeting adjourned at 7:33 p.m.

Respectfully submitted,



Tracy A. Koranda
City Clerk